
OLR Bill Analysis

sSB 68

AN ACT AUTHORIZING THE USE OF CERTAIN MICROBIAL AND BIOCHEMICAL PESTICIDES AND GRUB CONTROL PRODUCTS ON SCHOOL GROUNDS.

SUMMARY

This bill exempts certain products from the ban on nonemergency application of lawn care pesticide on the grounds of any public or private preschool or school with students in grade eight or lower. Current law defines a “lawn care pesticide” as a pesticide (1) registered by the U.S. Environmental Protection Agency (EPA) and (2) labeled according to federal law for use in lawns, gardens, and ornamental sites or areas.

The bill exempts the following products from this definition, thus allowing their application on the grounds of these preschools and schools:

1. EPA-registered microbial or biochemical pesticides,
2. horticultural soaps or oils registered with EPA and without synthetic pesticide or synergist (enhancer of pesticide properties), and
3. certain pesticides classified by EPA as exempt materials (see BACKGROUND).

Under the bill, a “microbial pesticide” is a pesticide that has a microorganism as the active ingredient, and a “biochemical pesticide” is a naturally occurring substance that controls pests by nontoxic means.

Under current law, “pesticide” is a fungicide used on plants, insecticide, herbicide, or rodenticide, but not a sanitizer, disinfectant, antimicrobial agent, or pesticide bait. The bill requires that, to be

excluded from the definition and exempt from the law's pesticide application requirements for schools, sanitizers, disinfectants, antimicrobial agents, and pesticide baits be in tamper-resistant containers.

The bill does not change current law on pesticide application at day care centers.

EFFECTIVE DATE: Upon passage

BACKGROUND

Exempt Pesticides

Certain pesticides and pesticide classes do not need regulation under the federal Insecticide, Fungicide, and Rodenticide Act. They include:

1. pheromones and similar compounds used in pheromone traps,
2. preservatives for biological specimens (e.g., embalming fluids),
3. products consisting of food to attract pests,
4. natural cedar, and
5. minimum-risk pesticides (i.e., containing certain active ingredients) (40 CFR 152.25).

Related Bill

SB 46, favorably reported by the Children's Committee, expands the ban on using lawn care pesticides on school grounds to cover schools with students in grades nine to 12.

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 23 Nay 6 (02/28/2014)